

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WHALECO INC.,

Plaintiff,

v.

JEFFREY GLUCK; GLUCK LAW FIRM P.C.;
ALEC MONOPOLY ART, LLC; ALEC
MONOPOLY, LLC; and COOKIES SF LLC,

Defendants.

Civil Action No. 25-cv-11233

STIPULATED MOTION FOR ATTORNEYS' FEES AND COSTS

Defendant Cookies SF LLC (“Cookies”) and Plaintiff Whaleco Inc., d/b/a Temu (“Temu”) have conferred with regard to Cookies’ petition for attorneys’ fees and expenses in connection with its motion to dismiss. Pursuant to the Court’s order of August 20, 2025 (ECF No. 65) (the “Order”), Cookies respectfully requests that the Court award it \$45,000.00 in fees and expenses incurred in successfully bringing its motion to dismiss.

For purposes of this petition only, Temu does not contest that Cookies is entitled to an award of \$45,000. The parties agree that this stipulation is subject to any appeal Temu may file, including without limitation, any appeal as to the determination that Cookies is entitled to fees and expenses in bringing its motion. If that determination is overturned on appeal, the parties agree that this stipulation shall have no continuing effect and shall not apply to any further proceedings in the case. The parties also agree that nothing in this stipulation shall limit Temu in contesting, on any grounds, any other petition Cookies or any other party may submit for attorneys’ fees and expenses.

WHEREFORE, Cookies respectfully requests that the Court order Temu to pay Cookies \$45,000 pursuant to the Court's order dated August 20, 2025 (ECF. No. 65). Subject to the conditions set forth above, Temu does not contest that Cookies is entitled to \$45,000.

Respectfully submitted,

COOKIES SF LLC

By its attorneys:

/s/ James F. Radke

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WHALECO INC. d/b/a TEMU

By its attorneys

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Dated: September 17, 2025

CERTIFICATE OF SERVICE

I, James S. Radke, certify that a copy of the foregoing document was served on all parties who have appeared through the Court's electronic docketing system on September 17, 2025.

/s/ James F. Radke
James S. Radke